

NOTICE: THIS DECISION DOES NOT CREATE LEGAL PRECEDENT AND
MAY NOT BE CITED EXCEPT AS AUTHORIZED BY APPLICABLE RULES.
See Ariz. R. Supreme Court 111(c); ARCAP 28(c); Ariz. R. Crim. P. 31.24

FILED BY CLERK

JAN 15 2010

COURT OF APPEALS
DIVISION TWO

IN THE COURT OF APPEALS
STATE OF ARIZONA
DIVISION TWO

ANNA DOLORES ROMERO, a single)	2 CA-CV 2009-0118
woman,)	DEPARTMENT A
)	
Plaintiff/Appellee,)	<u>MEMORANDUM DECISION</u>
)	Not for Publication
v.)	Rule 28, Rules of Civil
)	Appellate Procedure
MARY ROMERO,)	
)	
Defendant/Appellant.)	
_____)	

APPEAL FROM THE SUPERIOR COURT OF PINAL COUNTY

Cause No. CV-200900330

Honorable Gilberto V. Figueroa, Judge

AFFIRMED

Karman Law Offices, P.C.
By Howard H. Karman

Casa Grande
Attorney for Plaintiff/Appellee

Mary Romero

Dudleyville
In Propria Persona

H O W A R D, Chief Judge.

¶1 Appellant Mary Romero¹ appeals from the trial court’s grant of summary judgment in favor of and award of attorney fees to appellee Anna Romero. But she cites no authority and provides no argument to support her claims. Both claims are therefore waived, and we affirm the trial court’s judgment. *See* Ariz. R. Civ. App. P. 13(a)(6) (“An argument . . . shall contain the contentions of the appellant with respect to the issues presented, and the reasons therefor, with citations to the authorities, statutes and parts of the record relied on.”); *Polanco v. Indus. Comm’n*, 214 Ariz. 489, n.2, 154 P.3d 391, 393-94 n.2 (App. 2007) (issue waived where appellant failed to develop and support argument).

¶2 Anna Romero requests an award of costs and attorney fees on appeal but provides no statutory basis for her request. We do not award attorney fees to a litigant who fails to cite any authority for an award of fees. *Williams v. Williams*, 219 Ariz. 546, ¶ 16, 200 P.3d 1043, 1047 (App. 2008). As the successful party to this appeal, however,

¹Romero’s opening brief states that she and her husband, Philip Romero, are both appellants. However, only Mary Romero signed the notice of appeal, and, because she is not a lawyer, she cannot represent her husband in this appeal. *See Haberkorn v. Sears, Roebuck & Co.*, 5 Ariz. App. 397, 399, 427 P.2d 378, 380 (1967) (nonlawyer may not represent spouse in court).

Anna Romero is entitled to recover her costs on appeal pursuant to A.R.S. § 12-341. We award her those costs upon her compliance with Rule 21, Ariz. R. Civ. App. P.

JOSEPH W. HOWARD, Chief Judge

CONCURRING:

PHILIP G. ESPINOSA, Presiding Judge

GARYE L. VÁSQUEZ, Judge